

EXHIBIT 9
2/15/07
534

To: Representative Diane Rice, Chair, and Judiciary Committee

From: Linda Baldwin, Secretary, Montana American Bikers Aiming Towards Education, 312 S. Rosser, Glendive, MT

Re: In opposition to HB 534, RELATING TO USE OF SAFETY HELMETS, being heard by the committee on 02-15-07 at 8:00 AM in room 137

Testimony: My name is Linda Baldwin and in opposing HB 534 I represent not only myself but also the members of Montana American Bikers Aiming Towards Education. We strongly oppose this bill for the following reasons:

1) The bill is discriminatory. According to the Brain Injury Association of America, transportation related Traumatic Brain Injuries (TBIs) break down as follows: occupants of enclosed vehicles 62%, pedestrians 18%, other 12%, bicyclists 7%, and **motorcyclists 6%**. If helmets are so great, why isn't this bill for occupants of enclosed vehicles? We, the minority on two wheels, are very weary of being singled out for a helmet mandate. Furthermore, not only do occupants of enclosed vehicles have the highest number of transportation related TBIs, *enclosed vehicle crashes are the number one cause of all TBIs*, followed by slip & falls, and violence.

2) No "public burden"! Since occupants of enclosed vehicles make up the vast majority of TBIs, how can two-wheelers who sustain a TBI be considered a "public burden" when enclosed vehicle occupants are not? *The public burden resulting from enclosed vehicle crashes is thousands of times greater than for any other road user.* Perspective: All motor vehicle accidents account for only 1.16% of total US healthcare costs.

3) The words, "motorcycle helmet", in the title of this bill are misleading. A helmet may afford the wearer some measure of safety in some circumstances; in other circumstances they can be deadly. Studies have shown that force hitting the helmet can be transferred to the neck, snapping it. Furthermore, due to the laws of physics, a helmet weighs more at speed. Helmet straps have severed carotid arteries causing stroke. A direct impact to the chin guard on full-face helmets can cause skull base fracture by transferring force to the chinstrap that then transfers force to the jaw, which then fractures the base of the skull. This is why riders say, *"Let those who ride decide"*. Just as adult riders must weigh the risks inherent in riding, they *must* be able to weigh the risks inherent in helmet usage and choose accordingly.

Some of our members not only ride motorcycles but also quadricycles, trikes and mopeds. Some wear helmets; some don't, but all agree the choice should be theirs. Some feel the helmet puts them at risk, not only for the reasons listed above, but also because the helmet compromises their sight and hearing. Because of their safety concerns, many will stop riding if told they must wear a helmet. These concerns are exemplified by the fact that motorcycle registrations dropped 40% in California after that state enacted their mandatory helmet law.

4) Helmets cannot prevent accidents. A measure of the effectiveness of helmets can be found in comparing the *fatality per accident* rate of states with, and states without, mandatory helmet laws for motorcyclists. The fatality rate is actually *lower* in states that *do not* have mandatory helmet laws.

5) No insurance discount. Insurance companies across the nation give a 15% discount to motorcycle riders who have taken a motorcycle safety course, but no discount is available for wearing a helmet. What does this say about the benefits of helmet usage?

Montana American Bikers Aiming Towards Education you to vote no on HB 534